







## WASHINGTON, D. C.

THE DEFEAT OF THE COALITION IN MASSACHUSETTS, AND THE REJECTION OF THE NEW CONSTITUTION.

The intelligent writer of the following communication, who furnishes so clear and succinct an account of the causes which led to the recent overthrow of the Coalition in Massachusetts, will pardon us for omitting one or two personal allusions. Deeply regretting, as we do, the defeat of our friends, and of their great and beneficial measure, they will justify us, we know, in observing a proper reserve in regard to personal differences among them. We leave to the Union and to Calhoun the task of participating in the local difficulties and controversies of the States.

We trust that the work of constitutional reform in Massachusetts may never be abandoned. Such a combination of adverse influences can hardly ever exist again. We have not the slightest doubt that a large majority of the People of Massachusetts will sustain a renewed movement for constitutional reform—*Edu. Era.*

BOSTON, Nov. 26, 1853.

To the Editor of the *National Era*:

The friends of constitutional reform have been beaten by a combination of influences, and by a combination of men of every shade of opinion. I propose to you, in the interest of your readers who may take some little interest in our local affairs, what the proposed amendments were, and to show why and how they have been defeated.

The Whig party presented the results of its labors to the people, in eight distinct propositions. The first proposition contained the framework of the Government. Most of the changes embodied in this proposition were adopted by the other nine articles of the Convention. The following changes were embodied in proposition No. 1, to wit:

1. That the pay of the members of the Legislature be increased to \$1,000 per day.

2. That the compensation of the members of the Legislature shall be fixed by general law, but not so increasing the compensation shall apply to the members passing the act.

3. That the members of the Senate and House of Representatives shall, in all elections vote *noe*.

4. That the Commonwealth shall be divided into single districts of contiguous territory, and as equal in population as may be, for the choice of State Senators.

5. That the plurality rule shall apply to the election of Senators.

6. That a majority of the whole Senate shall be a quorum to do all public business.

7. That sixty-four towns of less than one thousand inhabitants, shall each have six Representatives in each decennial period of ten years.

8. That the Commonwealth shall be divided into single districts of contiguous territory, and as equal in population as may be, for the choice of State Representatives.

9. That towns of four thousand and less than eight thousand inhabitants, shall each be entitled to two Representatives.

10. That the same increasing ratio shall be four thousand inhabitants.

11. That the cities shall be distributed for the choice of Representatives—no one district to elect more than one Representative.

12. That the Legislature of 1853 shall divide the Commonwealth into forty single districts, for the choice of Senators; and into single or double districts, for the choice of not less than 240 single or double districts. Representatives to be distributed by a contiguous territory, and as nearly equal as may be, in the number of qualified voters in each district; and submit to the people, at the annual election in 1856, a plan for a division of the State, to be constituted, for their ratification or rejection.

13. That one hundred members of the House of Representatives shall constitute a quorum for doing business.

14. That the titles of "His EXCELLENCY," and "His HONOR," be expunged from the Constitution.

15. That the property qualification of the Governor and Lieutenant Governor be expunged from the Constitution.

16. That the Council shall be elected by the people in each district, by a plurality of the votes.

17. That the power of the Council shall be open to the examination of the public.

18. That Counsellors shall not be appointed on any commission, or to any place, and receive compensation therefor.

19. That the office shall be submitted to the members of the Council by the President of the Senate, "in presence of the Senate."

20. That the Secretary, Treasurer, Auditor, and Attorney General shall be chosen by the people, at the annual election, by a plurality of the votes.

21. That Judges of Probate, Registrars of Deeds, Sheriffs, Commissioners of Insolvency, District Attorneys, and Clerks of the Courts shall be elected triennially, by the people of their respective counties and districts, and by the plurality rule.

22. That the Register of Deeds, County Treasurers, and County Commissioners, shall be elected at the general election, for three years.

23. That the Justices of the Supreme Judicial Court, and the Justices of such inferior courts as may be or may be established by law, shall hold their commissions for ten years, subject to removal.

24. That Trial Justices shall be elected by the people of the cities and towns, for the term of three years.

25. That the Justices and Clerks of Police Court shall be chosen by the people of the cities and towns, for the term of three years.

26. That the tax qualification to vote for any National or State officer shall be abolished.

27. That all bailiffs retained by law to be given to the State, and to the cities and towns, or city election, including the election of Representatives, trial justices, justices and clerks of police courts, shall be deposited in sealed envelopes.

28. That the day of the annual election shall be the *Tuesday next after the first Monday of November*.

29. That the Legislatures shall have power to provide for the election of State Officers, Representatives, trial justices, justices and clerks of police courts, by a plurality of the votes given.

30. That Major Generals shall be elected by the Brigadier Generals and Field Officers.

31. That the Legislature always have full power to create a militia, and to maintain, or restrain, any of the powers now vested in the President and Fellows of Harvard College, provided the obligations of contracts be not impaired.

32. That the Legislature shall provide for the enlargement of the School Fund until it shall amount to two millions of dollars, to be forever kept *inviolate* "for the improvement of education."

33. That the people shall vote on the question of calling a Convention for the revision of the Constitution in 1873, and in every twentieth year thereafter; and the Legislature shall submit to the question of people at any time, on the application of one-tenth of the people voting for the same at any annual election.

This first proposition was finally adopted, by 174 to 15.

The second proposition declared that "a trial of *habeas corpus* shall be granted as a right in all cases in which a despot is not especially conferred upon the court by the Legislature."

The very important constitutional provision was finally adopted by a vote of 169 to 17.

The third proposition declared that "in all trials for criminal offences, the jury, after having received the instructions of the court, shall have the right, in their verdict of guilty or not guilty, to determine the law and the facts of the case."

This amendment was adopted by a vote of 147 to 56.

The fourth proposition declared that "every person having a claim against the Commonwealth ought to have a judicial remedy therefor."

It was adopted on the final vote, by 183 to 6.

The fifth proposition declared that "no person shall be imprisoned for any debt, hereafter contracted, unless in cases of fraud."

This amendment was adopted by a vote of 152 to 16.

The sixth proposition declared that "all moneys kept by taxation, or which may be appropriated by the State for the support of common schools, shall never be appropriated

to any religious sect for the maintenance exclusively of its own schools."

This proposition was finally adopted, by a vote of 150 to 24.

The seventh proposition declared that "the Legislature shall not create corporations by special act, when the object is attainable by general law."

The eighth proposition declared that "the Legislature shall have no power to pass any act granting any special charter for banking purposes, or any special act to increase the capital stock of any bank; but corporations created for any other purposes or the stock of chartered banks may be increased, under general laws."

This proposition was finally adopted, by a vote of 153 to 36.

The ninth proposition declared that "the Legislature shall not interfere with the adoption of the organic law of Massachusetts, have been defeated by a combination of interests never before united in action. Most of these reforms were borrowed from the Constitution of the United States, and from the constitutions of the other States. The people of other States will be not a little surprised to learn that a measure so benevolent, so truly Democratic, have been voted down by the people of the Commonwealth."

The Whig party originally opposed all amendments to the Constitution. In 1850 and 1851 that party continued and benefited by the organic law of Massachusetts, have been defeated by a combination of interests never before united in action. Most of these reforms were borrowed from the Constitution of the United States, and from the constitutions of the other States. The people of other States will be not a little surprised to learn that a measure so benevolent, so truly Democratic, have been voted down by the people of the Commonwealth."

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